



Archived at the Flinders Academic Commons:  
<http://hdl.handle.net/2328/27231>

This is a scan of a document number DUN/Speeches/3459  
in the Dunstan Collection, Special Collections, Flinders University Library.  
<http://www.flinders.edu.au/library/info/collections/special/dunstan/>

**Title:**

Handwritten radio script regarding 'things that have happened recently concerning our aboriginal people'.

Please acknowledge the source as:  
Dunstan Collection, Flinders University Library.  
Identifier: DUN/Speeches/3459

© Copyright Estate Donald Allan Dunstan

3459 (1)

A.L.P.

D.A.DUNSTAN

5KA

1/5/61

Good evening,

A number of things have happened recently concerning our aborigine people which have not been adequately covered by our newspapers, and I believe is of vital importance that you should know about them.

The Federal Govt in Canberra is expressly prevented by the constitution from making laws with respect to aborigines, except within its own territories, i.e. the Northern Territory & A.C.T.

In the rest of Australia, each State Govt. has power to make laws, and all the mainland states have such laws. As aborigines were all killed off in Tasmania in the last century, Tasmania has no such laws.

The various State Acts differ widely, but all contain some objectionable provisions.

Victoria has the best legislation – apart from certain stringent regulations on the government of native reserves – applicable especially to the settlement at Lake Tyers – aborigines in Victoria are under no legal disabilities. They have all the rights of other Australian citizens – they must enrol and vote at elections, are in no different position from other Australians in the rights to drink liquor, to control their own children, to associate with whomever they please, and to control their own property and monies.

In South Australia, all aborigines have the rights, duties to enrol and vote at elections if they have a settled address, but unless they obtain exemption from the aborigine's act, which covers in its definition all people with any aboriginal blood no matter how remote, they are legally under severe disabilities.

The protector of aborigines may manage their [End page]

3459 (1) Page 2

monies – and indeed he does receive many of their social services payments & dole them out as he sees fit – the protector is legally the guardian of all aborigine children & may remove them from their parents if he sees fit, no aborigine may drink liquor, and it is an offence for anyone other than a non-exempt aborigines to associate with an aboriginal girl or woman. Many aborigines in S.A reasonably feel very resentful that they are subject to laws of this kind. But these again are not the worst laws in Australia.

N.S.W. has provisions broadly similar to our own, though there the Native Welfare Board does include an aborigine member, & the board has recommended the repeal of the law discriminating against aborigines drinking alcohol. It is anticipated that this law will be amended this year.

In Queensland there are some 37,000 of Australia's 90,000 aborigine people. At least 17,000 of these are still subject to the Native Protection Act. No one subject to the Act, and no one exempt from the Act but with a majority of aborigine blood, has any right to vote at elections. Even if a person has obtained exemption from this Act that exemption may be revoked at any time, merely on the order of the Director of Native Welfare, and his order is not appealable.

Any person who is subject to this Act may be directed to a native reserve, and may not leave without committing an offence. If such a person is sentenced before the police and criminal courts, it is common that after he has served his sentence he is directed to Palm Island Settlement for a further [End page]

3460 (2) Pge 3

period at the pleasure of the director. It is unlawful for a person subject to the Act to marry without the permission of the local protector – usually a police officer – and on the reserves natives are taught not in education department schools but in native schools where the majority of the teachers are quite unqualified.

\*By regulation, those under the Act are paid half or less the relevant award rate for the same work done by Australians of European stock at award rates. Their wages are paid not to them, but to the department, which is holding over £1,000,000 of native monies in an unclaimed trust fund account.[NB in the manuscript this paragraph is written at the top of the page and the place in the text marked with an asterisk.]

In Western Australia ...

A.L.P.

J.A. Dunstan 34<sup>9</sup>

S.K.A.

1/5/61

Good evening.

A number of things have happened recently concerning our aboriginal people which have not been adequately covered by our newspapers, and I believe it is of vital importance that you should know about them.

The Federal Govt in Canberra is expressly prevented by the Constitution from making laws with respect to aborigines, except within its own territories, i.e. the Northern Territory & A.C.T.

In the rest of Australia, each State Govt. has power to make laws, and all the mainland States have such laws. As aborigines were all killed off in Tasmania in the last century, Tasmania has no such laws.

The various State Acts differ widely, but all contain some objectionable provisions. Victoria has the best legislation - apart from certain stringent regulations on the government of native reserves - applicable especially to the settlement at Lake Tyers - aborigines in Victoria are under no legal disabilities. They have all the rights of other Australian citizens - they must enrol and vote at elections, are in no different position from other Australians in the rights to drink liquor, to control their own children, to associate with whom they please, and to control their own property and money.

In South Australia, all aborigines have the right & duty to enrol & vote at elections if they have a settled address, but unless they obtain exemption from the aborigines act, which comes in its definition as all people with any aboriginal blood no matter how remote, they are legally under some disabilities. The protector of aborigines may waive this



\* By regulation those under the Act are paid half or less the relevant award rate for the same work done by Australians of European stock at award rates. Their wages are paid not to them, but to the department, which is holding over \$1,000,000 of native wages in an unclaimed trust fund amount period at the pleasure of the director. It is unlawful for a person subject to the Act to work without the permission of the local protection usually a police officer - and on the reserves, natives and Tongas not in education department schools but in native schools where the majority of the teachers are quite unqualified.

\* ~~the fact that~~ In Western Australia a number of archaic & restrictive provisions still operate, & here again those who are subject to the Act have no right to vote at elections. Attempts by the Hanks Labor Govt. on two occasions to amend the law were frustrated by the conservatism in the Legislative Council.

In the Northern Territory, although a considerable attempt has been made to improve the conditions of natives, <sup>natives</sup> words still have no vote, no right to liquor, and are paid quite inadequately for work as stockmen and domestic help, in which capacity they are quite shamefully exploited.

These facts, and many more details of the position of aborigines, were collected at the recent Federal conference of the F.C.A.A. held in Brisbane. I was the president of that body at the time of the conference, and I wish you could have been there to hear some of the facts told to us by people at the conference from their own experience. In the last few weeks the Bishop of Coptahua has made a number of valuable statements on the situation of aborigines in his diocese.

The aborigine people affiliated with F.C.A.A. have determined that they will make an all-out effort to remove the shameful disabilities

under which their people suffer. The Australian  
Labor Party has committed itself to do the same,  
and made this declaration at its recent Federal  
Conference.

#### NATIVE AFFAIRS.

##### RESOLUTION 139 -

That Federal Conference affirms that all Australian Aborigines and descendants of Australian Aborigines must be full citizens of this country and should have all the rights that this statement implies, including the right to vote.

Conference calls upon the Commonwealth to give the aborigines of Queensland; Western Australia and the Northern Territory the same voting rights in Commonwealth elections as those which are already enjoyed by aboriginal residents of New South Wales, Victoria, South Australia and Tasmania. In these latter States, such aborigine residents can vote in the election of their respective State Parliaments.

Conference recognises that particular difficulties are likely to arise in remote areas of the Northern Territory, Queensland, and Western Australia where many aborigines live long distances from any electoral office or offices, and where some tribes still lead nomadic lives. It feels that, in such circumstances, the above decisions might have to be implemented progressively if it is found to be impracticable to give them immediate application, but it calls upon the Commonwealth to ensure that such special provisions as are necessary shall be made to preserve the secrecy of the ballot in order to allow aborigines to cast their votes free from outside influence.

The declaration was timely. Because at the  
very time when it was made the <sup>Government</sup> ~~Labour~~ Party  
was attempting to pass an electoral bill  
which would continue to exclude aborigines  
in Queensland, W.A. & the N.T. from the right to  
vote. Labor opposed that measure. The  
Liberals agreed to ~~set up~~ <sup>set up</sup> a select Panel.

committee on aborigines voting rights, but insisted on continuing to deprive them of the franchise for the moment.

The Labor Party's position is quite plain. It believes that aborigines should have all the rights which other Australians have, and it will endeavour to remove, by legislative action, all legal disabilities ~~which~~ <sup>which</sup> aborigines now suffer. Moreover, we welcome the decision of the F.I.A.A. to <sup>bring</sup> draw the attention of all Commonwealth Prime Ministers, and of the United Nations Committee on Aborigines, to the plight of the Australian Aborigines.

Gooding.